

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SELENA BOSTON, JALISA)	
RHODES, LUTISHA MARTINEZ,)	
AND LANETTE WASHINGTON)	CIVIL ACTION
)	FILE NO. 1:23-CV-0752
Plaintiffs,)	
)	
vs.)	
)	
)	
MICAH SIERRA 'KATT')	
WILLIAMS, ET AL.,)	
)	
Defendants.)	

**DEFENDANT MICAH “KATT” WILLIAMS’S STATEMENT OF
MATERIAL FACTS IN SUPPORT OF HIS MOTION FOR SUMMARY
JUDGMENT**

COMES NOW, Defendant Micah “Sierra” Katt Williams and, pursuant to LR 56.1, hereby files this Statement of Material Facts in Support of His Motion for Summary Judgment. Defendant would show this Honorable Court the following

STATEMENT OF FACTS

The Subject Incident

1.

The Subject Incident occurred on or about February 28, 2016. *See* Dkt. 28, ¶ 21.

2.

On or around February 28, 2016, Plaintiffs approached Defendant. *See* “Defendant’s Request for Admissions” and “Plaintiffs’ Responses to Defendant’s Request for Admissions” (attached collectively hereto as “Exhibit A”) at ¶ 3.

3.

On or around February 28, 2016, Plaintiffs initiated a physical altercation with Defendant and one or more members of his security detail. Exhibit A at ¶¶ 8-9.

4.

On or around February 28, 2016, Plaintiffs took a chain necklace from Defendant. Exhibit A at ¶ 7.

5.

Thereafter, Plaintiffs were not prevented from leaving the vicinity of the incident by Defendant. Exhibit A at ¶ 10.

6.

At no point did Plaintiffs witness Defendant instruct any member of his security detail nor three (3) females to harm Plaintiffs. Exhibit A at ¶ 12-14.

7.

Defendant did not cause Plaintiffs any physical injuries on or around February 28, 2016. Exhibit A at ¶ 1.

8.

Defendant did not cause Plaintiffs any emotional or psychological injuries on or around February 28, 2016. Exhibit A at ¶ 2.

Criminal Prosecution

9.

On October 7, 2016, Defendant was indicted of Battery, Theft by Taking, and Criminal Damage to Property. *See* Indictments attached hereto as “Exhibit B.”

10.

Defendant was reindicted on July 14, 2017. *See* Exhibit B.

11.

On December 7, 2021, the Honorable Judge Rachel Krause signed an Order granting the state of Georgia’s Motion to Nolle Prosequi Defendant’s indictment. *See* Nolle Prosequi Order attached hereto as “Exhibit C.”

Statute of Limitations and Plaintiffs’ Service Efforts

12.

The Statute of Limitations began to run on December 7, 2021. *See* Exhibit C.

13.

This present matter was filed on February 17, 2023. Dkt. 1

14.

On February 18, 2023, Plaintiffs unsuccessfully attempted to serve Defendant at a show in Greenville, South Carolina. *See* Dkt. 4-1 ¶¶ 32-34, 7-1 ¶¶ 8-10.

15.

Plaintiffs did not attempt service at Defendant's last known address. *See* Dkt. 7-1 *generally*.

16.

After Plaintiffs' sole unsuccessful attempt to serve Defendant, Plaintiffs did not otherwise attempt service on Defendant prior to serve Defendant via publication. Id.

17.

On July 12, 2023, Plaintiffs motioned this Court to serve Defendants via publication. Dkt. 4.

18.

On July 24, 2023, this Court denied Plaintiffs' motion for service by publication. Dkt. 5.

19.

In denying Plaintiffs' motion for publication, the Court stated that the motion was denied "unless and until the Plaintiffs provide proof they have attempted and failed to serve Defendants in this second lawsuit." Id.

20.

The Court also stated, “upon proper Motion, the Court will issue an Order which will authorize the U.S. Marshals to serve the Defendant where he may be...” Dkt. 5.

21.

Plaintiffs did not file the Motion for Order for Service by the US Marshals until October 24, 2023. Dkt. 7.

22.

In a declaration in support of their motion, Plaintiffs do not identify a single additional attempt, outside of the February 18 attempt, to serve Defendant in the present lawsuit. *See* Dkt. 7-1 *generally*.

23.

On November 27, 2023, this Court granted Plaintiffs’ Motion and entered an Order for service by the US Marshals. Dkt. 9.

24.

On December 5, 2023, Plaintiffs sent their Process Receipt and Return to the US Marshal’s Office for service. Dkt. 10.

25.

In the packet sent to the U.S. Marshals, Plaintiffs’ counsel instructed the marshals to serve Defendant at a concert in Canada on December 29, 2023. Id.

26.

Despite the Court's Order for the Marshals to serve Defendant within the United States, Defendants provided the U.S. Marshals with instructions to serve Defendant in Canada. Dkt. 9-10.

27.

On December 7, 2023, the Statute of Limitations ran on Plaintiffs claims. *See* Exhibit C.

28.

On December 13, 2023, the US Marshal's office received and signed for Plaintiffs' Process Receipt and Return. Dkt. 10.

29.

On December 29, 2023, Defendant was served with process in Ontario, Canada. Id.

Discovery Misconduct – Untimely RFA Responses

30.

On August 13, 2024, Defendant served each Plaintiff with an identical set of discovery requests. *See* Exhibit A.

31.

On October 3, 2024, Defendant's prior counsel sent a letter to Plaintiffs' counsel advising that Plaintiffs' discovery responses were late. *See* the Email Chain (attached hereto as "Exhibit D") at Pg. 6.

32.

Plaintiffs did not respond to Defendant's discovery requests, including his Requests for Admission, until October 18, 2024. *Id.* at 2-3; Exhibit A.

Respectfully submitted this 16th day of July, 2025.

BANKS WEAVER, LLC

/s/Gabe Banks

/s/ Payden Grizzle

Gabe Banks

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CERTIFICATE OF COMPLIANCE

This is to certify that pursuant to LR 5.1, the above document was prepared in Times New Roman 14-point font.

BANKS WEAVER, LLC

/s/Gabe Banks

/s/ Payden Grizzle

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY to the Clerk of Court that on this day I have filed the foregoing **STATEMENT OF MATERIAL FACTS IN SUPPORT OF HIS MOTION FOR SUMMARY JUDGMENT** with the Court using the CM/ECF System. Notice of this filing will be sent to the below as indicated on the electronic filing receipt:

Loletha Denise Hale, Esq.
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Respectfully submitted this 16th day of July, 2025.

BANKS WEAVER, LLC

/s/Gabe Banks

/s/ Payden Grizzle

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